

# APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office OCT 21 1997

Returned to applicant for correction \_\_\_\_\_

Corrected application filed \_\_\_\_\_

Map filed OCT 21 1997

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The applicant Jimmy L. & Kathryn A. Hicks, hereby makes application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated.

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1. The source of the proposed appropriation is Underground Sources
2. The amount of water applied for is 1.0 cfs second-feet
  - (a) If stored in reservoir give number of acre-feet
3. The water to be used for Quasi Municipal purposes
4. If use is for:
  - (a) Irrigation, state number of acres to be irrigated
  - (b) Stockwater, state number and kinds of animals to be watered
  - (c) Other use (describe fully under No. 12. "Remarks")
  - (d) Power:
    - (1) Horsepower developed
    - (2) Point of return of water to stream
5. The water is to be diverted from its source at the following point within the NE $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 1, T.16N., R.63E., M.D.B.&M., whence the E $\frac{1}{4}$  of said Section 1 bears N. 08° 32' 20" E., 740.94 feet distant.
6. Place of Use N $\frac{1}{2}$  SE $\frac{1}{4}$  of Section 1, T.16N., R.63E., M.D.B.&M.
7. Use will begin about January 1st and end about December 31st of each year.
8. Description of proposed works Drilled well, pump and motor with associated water distribution system.
9. Estimated cost of works \$30,000.00
10. Estimated time required to construct works 3 Years
11. Estimated time required to complete the application of water to beneficial use 5 Years
12. Remarks: This application is proposed to service the following:
  1. A race track operation with associated restrooms, concessions, office facilities, landscaping and dust control,
  2. A vehicle maintenance operation with associated restrooms, office facilities and landscaping,
  3. A trucking and coal distribution company with associated restrooms, office facilities and landscaping,

4. One residence with landscaping, at an estimated consumptive use of 12 gpm, 24 hours per day, 365 days per year for a total annual use of 6.3 million gallons.

By Richard W. Forman Agent  
s/Richard W. Forman  
P. O. Box 150  
Ely, NV 89301

Compared my/CMS lw/cms

Protested \_\_\_\_\_

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APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to existing rights. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to beneficial use. It is also understood that this right must allow for a reasonable lowering of the static water level. This well shall be equipped with a two (2) inch opening for measuring depth to water. If the well is flowing, a valve must be installed and maintained to prevent waste. A totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of water begins, or before the Proof of Completion of Work is filed. This source is located within an area designated by the State Engineer, pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

This permit is issued under the provisions of NRS 534.120(2) as a preferred use.

(CONTINUED ON PAGE 2)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 1.0 cubic feet per second, but not to exceed 6.30 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before:

April 14, 1999

Proof of completion of work shall be filed before:

May 14, 1999

Application of water to beneficial use shall be filed on or before:

April 14, 2003

Proof of the application of water to beneficial use shall be filed on or before:

May 14, 2003

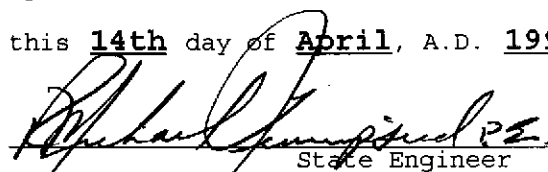
Map in support of proof of beneficial use shall be filed on or before:

N/A

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.,

State Engineer of Nevada, have hereunto set  
my hand and the seal of my office,

this 14th day of April, A.D. 1998

  
State Engineer

Completion of work filed

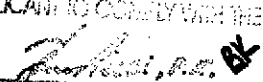
MAY 15 2000

Proof of beneficial use filed

Cultural map filed

Certificate No.

Issued

CANCELLED NOV 17-2005  
BECAUSE OF FAILURE  
OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT  
  
STATE ENGINEER